IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

Crl.MC.No. 1970 of 2007()

CC.1141/2003 of JUDL.MAGISTRATE OF FIRST CLASS, KOLENCHERRY

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PETITIONER:

JOSEPH J KUTTIKATT, 44/1747, KUTTIKKATT HOUSE, DESHABHIMANI JUNCTION, KALOOR - 682 017.

BY ADV. SRI.AVM.SALAHUDIN

RESPONDENTS:

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1. M/S.GE COUNTRYWIDE CONSUMER FINANCIAL SERVICE LTD., 39/5747, CHIRAMEL CHAMBER KURUSHUPALLY ROAD, RAVIPURAM, KOCHI-15 REPRESENTED BY POWER OF ATTORNEY HOLDER MR.MAHESH K.V., S/O.LATE I.DIVAKARAN, AGED 31 YEARS.

2. STATE OF KERALA, REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.GEORGE CHERIAN
SRI.R.SREERAJ
PUBLIC PROSECUTOR SRI.M.S.BREEZ

THIS CRIMINAL MISC. CASE HAVING BEEN FINALLY HEARD ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.1970 of 2007

Dated this the 3rd day of July 2007

O R D E R

The petitioner is the accused in a prosecution under Section 138 of the Negotiable Instruments Act. The complaint filed before the learned Chief Judicial Magistrate, Ernakulam was made over to the learned Judicial First Class Magistrate Court, Kolenchery. Before that court, the parties had entered appearance. Trial is almost complete. The matter stands posted for hearing. Admittedly, it is at that stage, the petitioner has come before this court, complaining about the unjustified making over of the case to distant Kolenchery. The learned counsel for the respondent contends that there is no bona fides. The matter is almost over. All that remains is the final hearing and disposal of the case.

2. I am satisfied, in these circumstances, that this Criminal Miscellaneous Case is without any merit. This Criminal Miscellaneous Case is accordingly dismissed.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007